

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 1961 is amended by changing  
5 Sections 3-5, 11-20.1, and 11-20.3 as follows:

6 (720 ILCS 5/3-5) (from Ch. 38, par. 3-5)

7 Sec. 3-5. General Limitations.

8 (a) A prosecution for: (1) first degree murder, attempt to  
9 commit first degree murder, second degree murder, involuntary  
10 manslaughter, reckless homicide, leaving the scene of a motor  
11 vehicle accident involving death or personal injuries under  
12 Section 11-401 of the Illinois Vehicle Code, failing to give  
13 information and render aid under Section 11-403 of the Illinois  
14 Vehicle Code, concealment of homicidal death, treason, arson,  
15 aggravated arson, forgery, child pornography under paragraph  
16 (1) of subsection (a) of Section 11-20.1, aggravated child  
17 pornography under paragraph (1) of subsection (a) of Section  
18 11-20.3, or (2) any offense involving sexual conduct or sexual  
19 penetration, as defined by Section 12-12 of this Code in which  
20 the DNA profile of the offender is obtained and entered into a  
21 DNA database within 10 years after the commission of the  
22 offense, may be commenced at any time. Clause (2) of this  
23 subsection (a) applies if either: (i) the victim reported the

1 offense to law enforcement authorities within 3 years after the  
2 commission of the offense unless a longer period for reporting  
3 the offense to law enforcement authorities is provided in  
4 Section 3-6 or (ii) the victim is murdered during the course of  
5 the offense or within 2 years after the commission of the  
6 offense.

7 (b) Unless the statute describing the offense provides  
8 otherwise, or the period of limitation is extended by Section  
9 3-6, a prosecution for any offense not designated in Subsection  
10 (a) must be commenced within 3 years after the commission of  
11 the offense if it is a felony, or within one year and 6 months  
12 after its commission if it is a misdemeanor.

13 (Source: P.A. 94-487, eff. 11-9-05; 94-683, eff. 11-9-05;  
14 95-899, eff. 1-1-09.)

15 (720 ILCS 5/11-20.1) (from Ch. 38, par. 11-20.1)  
16 Sec. 11-20.1. Child pornography.

17 (a) A person commits the offense of child pornography who:

18 (1) films, videotapes, photographs, or otherwise  
19 depicts or portrays by means of any similar visual medium  
20 or reproduction or depicts by computer any child whom he  
21 knows or reasonably should know to be under the age of 18  
22 or any severely or profoundly mentally retarded person  
23 where such child or severely or profoundly mentally  
24 retarded person is:

25 (i) actually or by simulation engaged in any act of

1 sexual penetration or sexual conduct with any person or  
2 animal; or

3 (ii) actually or by simulation engaged in any act  
4 of sexual penetration or sexual conduct involving the  
5 sex organs of the child or severely or profoundly  
6 mentally retarded person and the mouth, anus, or sex  
7 organs of another person or animal; or which involves  
8 the mouth, anus or sex organs of the child or severely  
9 or profoundly mentally retarded person and the sex  
10 organs of another person or animal; or

11 (iii) actually or by simulation engaged in any act  
12 of masturbation; or

13 (iv) actually or by simulation portrayed as being  
14 the object of, or otherwise engaged in, any act of lewd  
15 fondling, touching, or caressing involving another  
16 person or animal; or

17 (v) actually or by simulation engaged in any act of  
18 excretion or urination within a sexual context; or

19 (vi) actually or by simulation portrayed or  
20 depicted as bound, fettered, or subject to sadistic,  
21 masochistic, or sadomasochistic abuse in any sexual  
22 context; or

23 (vii) depicted or portrayed in any pose, posture or  
24 setting involving a lewd exhibition of the unclothed or  
25 transparently clothed genitals, pubic area, buttocks,  
26 or, if such person is female, a fully or partially

1 developed breast of the child or other person; or

2 (2) with the knowledge of the nature or content  
3 thereof, reproduces, disseminates, offers to disseminate,  
4 exhibits or possesses with intent to disseminate any film,  
5 videotape, photograph or other similar visual reproduction  
6 or depiction by computer of any child or severely or  
7 profoundly mentally retarded person whom the person knows  
8 or reasonably should know to be under the age of 18 or to  
9 be a severely or profoundly mentally retarded person,  
10 engaged in any activity described in subparagraphs (i)  
11 through (vii) of paragraph (1) of this subsection; or

12 (3) with knowledge of the subject matter or theme  
13 thereof, produces any stage play, live performance, film,  
14 videotape or other similar visual portrayal or depiction by  
15 computer which includes a child whom the person knows or  
16 reasonably should know to be under the age of 18 or a  
17 severely or profoundly mentally retarded person engaged in  
18 any activity described in subparagraphs (i) through (vii)  
19 of paragraph (1) of this subsection; or

20 (4) solicits, uses, persuades, induces, entices, or  
21 coerces any child whom he knows or reasonably should know  
22 to be under the age of 18 or a severely or profoundly  
23 mentally retarded person to appear in any stage play, live  
24 presentation, film, videotape, photograph or other similar  
25 visual reproduction or depiction by computer in which the  
26 child or severely or profoundly mentally retarded person is

1 or will be depicted, actually or by simulation, in any act,  
2 pose or setting described in subparagraphs (i) through  
3 (vii) of paragraph (1) of this subsection; or

4 (5) is a parent, step-parent, legal guardian or other  
5 person having care or custody of a child whom the person  
6 knows or reasonably should know to be under the age of 18  
7 or a severely or profoundly mentally retarded person and  
8 who knowingly permits, induces, promotes, or arranges for  
9 such child or severely or profoundly mentally retarded  
10 person to appear in any stage play, live performance, film,  
11 videotape, photograph or other similar visual  
12 presentation, portrayal or simulation or depiction by  
13 computer of any act or activity described in subparagraphs  
14 (i) through (vii) of paragraph (1) of this subsection; or

15 (6) with knowledge of the nature or content thereof,  
16 possesses any film, videotape, photograph or other similar  
17 visual reproduction or depiction by computer of any child  
18 or severely or profoundly mentally retarded person whom the  
19 person knows or reasonably should know to be under the age  
20 of 18 or to be a severely or profoundly mentally retarded  
21 person, engaged in any activity described in subparagraphs  
22 (i) through (vii) of paragraph (1) of this subsection; or

23 (7) solicits, uses, persuades, induces, entices, or  
24 coerces a person to provide a child under the age of 18 or  
25 a severely or profoundly mentally retarded person to appear  
26 in any videotape, photograph, film, stage play, live

1 presentation, or other similar visual reproduction or  
2 depiction by computer in which the child or severely or  
3 profoundly mentally retarded person will be depicted,  
4 actually or by simulation, in any act, pose, or setting  
5 described in subparagraphs (i) through (vii) of paragraph  
6 (1) of this subsection.

7 (b) (1) It shall be an affirmative defense to a charge of  
8 child pornography that the defendant reasonably believed,  
9 under all of the circumstances, that the child was 18 years  
10 of age or older or that the person was not a severely or  
11 profoundly mentally retarded person but only where, prior  
12 to the act or acts giving rise to a prosecution under this  
13 Section, he took some affirmative action or made a bonafide  
14 inquiry designed to ascertain whether the child was 18  
15 years of age or older or that the person was not a severely  
16 or profoundly mentally retarded person and his reliance  
17 upon the information so obtained was clearly reasonable.

18 (2) (Blank).

19 (3) The charge of child pornography shall not apply to  
20 the performance of official duties by law enforcement or  
21 prosecuting officers or persons employed by law  
22 enforcement or prosecuting agencies, court personnel or  
23 attorneys, nor to bonafide treatment or professional  
24 education programs conducted by licensed physicians,  
25 psychologists or social workers.

26 (4) Possession by the defendant of more than one of the

1 same film, videotape or visual reproduction or depiction by  
2 computer in which child pornography is depicted shall raise  
3 a rebuttable presumption that the defendant possessed such  
4 materials with the intent to disseminate them.

5 (5) The charge of child pornography does not apply to a  
6 person who does not voluntarily possess a film, videotape,  
7 or visual reproduction or depiction by computer in which  
8 child pornography is depicted. Possession is voluntary if  
9 the defendant knowingly procures or receives a film,  
10 videotape, or visual reproduction or depiction for a  
11 sufficient time to be able to terminate his or her  
12 possession.

13 (6) Any violation of paragraph (1), (2), (3), (4), (5),  
14 or (7) of subsection (a) that includes a child engaged in,  
15 solicited for, depicted in, or posed in any act of sexual  
16 penetration or bound, fettered, or subject to sadistic,  
17 masochistic, or sadomasochistic abuse in a sexual context  
18 shall be deemed a crime of violence.

19 (c) Violation of paragraph (1), (4), (5), or (7) of  
20 subsection (a) is a Class 1 felony with a mandatory minimum  
21 fine of \$2,000 and a maximum fine of \$100,000. Violation of  
22 paragraph (3) of subsection (a) is a Class 1 felony with a  
23 mandatory minimum fine of \$1500 and a maximum fine of \$100,000.  
24 Violation of paragraph (2) of subsection (a) is a Class 1  
25 felony with a mandatory minimum fine of \$1000 and a maximum  
26 fine of \$100,000. Violation of paragraph (6) of subsection (a)

1 is a Class 3 felony with a mandatory minimum fine of \$1000 and  
2 a maximum fine of \$100,000.

3 (d) If a person is convicted of a second or subsequent  
4 violation of this Section within 10 years of a prior  
5 conviction, the court shall order a presentence psychiatric  
6 examination of the person. The examiner shall report to the  
7 court whether treatment of the person is necessary.

8 (e) Any film, videotape, photograph or other similar visual  
9 reproduction or depiction by computer which includes a child  
10 under the age of 18 or a severely or profoundly mentally  
11 retarded person engaged in any activity described in  
12 subparagraphs (i) through (vii) or paragraph 1 of subsection  
13 (a), and any material or equipment used or intended for use in  
14 photographing, filming, printing, producing, reproducing,  
15 manufacturing, projecting, exhibiting, depiction by computer,  
16 or disseminating such material shall be seized and forfeited in  
17 the manner, method and procedure provided by Section 36-1 of  
18 this Code for the seizure and forfeiture of vessels, vehicles  
19 and aircraft.

20 (e-5) Upon the conclusion of a case brought under this  
21 Section, the court shall seal all evidence depicting a victim  
22 or witness that is sexually explicit. The evidence may be  
23 unsealed and viewed, on a motion of the party seeking to unseal  
24 and view the evidence, only for good cause shown and in the  
25 discretion of the court. The motion must expressly set forth  
26 the purpose for viewing the material. The State's attorney and

1 the victim, if possible, shall be provided reasonable notice of  
2 the hearing on the motion to unseal the evidence. Any person  
3 entitled to notice of a hearing under this subsection (e-5) may  
4 object to the motion.

5 (f) Definitions. For the purposes of this Section:

6 (1) "Disseminate" means (i) to sell, distribute,  
7 exchange or transfer possession, whether with or without  
8 consideration or (ii) to make a depiction by computer  
9 available for distribution or downloading through the  
10 facilities of any telecommunications network or through  
11 any other means of transferring computer programs or data  
12 to a computer.

13 (2) "Produce" means to direct, promote, advertise,  
14 publish, manufacture, issue, present or show.

15 (3) "Reproduce" means to make a duplication or copy.

16 (4) "Depict by computer" means to generate or create,  
17 or cause to be created or generated, a computer program or  
18 data that, after being processed by a computer either alone  
19 or in conjunction with one or more computer programs,  
20 results in a visual depiction on a computer monitor,  
21 screen, or display.

22 (5) "Depiction by computer" means a computer program or  
23 data that, after being processed by a computer either alone  
24 or in conjunction with one or more computer programs,  
25 results in a visual depiction on a computer monitor,  
26 screen, or display.

1           (6) "Computer", "computer program", and "data" have  
2 the meanings ascribed to them in Section 16D-2 of this  
3 Code.

4           (7) "Child" includes a film, videotape, photograph, or  
5 other similar visual medium or reproduction or depiction by  
6 computer that is, or appears to be, that of a person,  
7 either in part, or in total, under the age of 18,  
8 regardless of the method by which the film, videotape,  
9 photograph, or other similar visual medium or reproduction  
10 or depiction by computer is created, adopted, or modified  
11 to appear as such. "Child" also includes a film, videotape,  
12 photograph, or other similar visual medium or reproduction  
13 or depiction by computer that is advertised, promoted,  
14 presented, described, or distributed in such a manner that  
15 conveys the impression that the film, videotape,  
16 photograph, or other similar visual medium or reproduction  
17 or depiction by computer is of a person under the age of  
18 18.

19           (8) "Sexual penetration" and "sexual conduct" have the  
20 meanings ascribed to them in Section 12-12 of this Code.

21 (g) Re-enactment; findings; purposes.

22           (1) The General Assembly finds and declares that:

23           (i) Section 50-5 of Public Act 88-680, effective  
24 January 1, 1995, contained provisions amending the  
25 child pornography statute, Section 11-20.1 of the  
26 Criminal Code of 1961. Section 50-5 also contained

1 other provisions.

2 (ii) In addition, Public Act 88-680 was entitled  
3 "AN ACT to create a Safe Neighborhoods Law". (A)  
4 Article 5 was entitled JUVENILE JUSTICE and amended the  
5 Juvenile Court Act of 1987. (B) Article 15 was entitled  
6 GANGS and amended various provisions of the Criminal  
7 Code of 1961 and the Unified Code of Corrections. (C)  
8 Article 20 was entitled ALCOHOL ABUSE and amended  
9 various provisions of the Illinois Vehicle Code. (D)  
10 Article 25 was entitled DRUG ABUSE and amended the  
11 Cannabis Control Act and the Illinois Controlled  
12 Substances Act. (E) Article 30 was entitled FIREARMS  
13 and amended the Criminal Code of 1961 and the Code of  
14 Criminal Procedure of 1963. (F) Article 35 amended the  
15 Criminal Code of 1961, the Rights of Crime Victims and  
16 Witnesses Act, and the Unified Code of Corrections. (G)  
17 Article 40 amended the Criminal Code of 1961 to  
18 increase the penalty for compelling organization  
19 membership of persons. (H) Article 45 created the  
20 Secure Residential Youth Care Facility Licensing Act  
21 and amended the State Finance Act, the Juvenile Court  
22 Act of 1987, the Unified Code of Corrections, and the  
23 Private Correctional Facility Moratorium Act. (I)  
24 Article 50 amended the WIC Vendor Management Act, the  
25 Firearm Owners Identification Card Act, the Juvenile  
26 Court Act of 1987, the Criminal Code of 1961, the

1           Wrongs to Children Act, and the Unified Code of  
2           Corrections.

3           (iii) On September 22, 1998, the Third District  
4           Appellate Court in *People v. Dainty*, 701 N.E. 2d 118,  
5           ruled that Public Act 88-680 violates the single  
6           subject clause of the Illinois Constitution (Article  
7           IV, Section 8 (d)) and was unconstitutional in its  
8           entirety. As of the time this amendatory Act of 1999  
9           was prepared, *People v. Dainty* was still subject to  
10          appeal.

11          (iv) Child pornography is a vital concern to the  
12          people of this State and the validity of future  
13          prosecutions under the child pornography statute of  
14          the Criminal Code of 1961 is in grave doubt.

15          (2) It is the purpose of this amendatory Act of 1999 to  
16          prevent or minimize any problems relating to prosecutions  
17          for child pornography that may result from challenges to  
18          the constitutional validity of Public Act 88-680 by  
19          re-enacting the Section relating to child pornography that  
20          was included in Public Act 88-680.

21          (3) This amendatory Act of 1999 re-enacts Section  
22          11-20.1 of the Criminal Code of 1961, as it has been  
23          amended. This re-enactment is intended to remove any  
24          question as to the validity or content of that Section; it  
25          is not intended to supersede any other Public Act that  
26          amends the text of the Section as set forth in this

1           amendatory Act of 1999. The material is shown as existing  
2           text (i.e., without underscoring) because, as of the time  
3           this amendatory Act of 1999 was prepared, People v. Dainty  
4           was subject to appeal to the Illinois Supreme Court.

5           (4) The re-enactment by this amendatory Act of 1999 of  
6           Section 11-20.1 of the Criminal Code of 1961 relating to  
7           child pornography that was amended by Public Act 88-680 is  
8           not intended, and shall not be construed, to imply that  
9           Public Act 88-680 is invalid or to limit or impair any  
10          legal argument concerning whether those provisions were  
11          substantially re-enacted by other Public Acts.

12         (Source: P.A. 94-366, eff. 7-29-05.)

13           (720 ILCS 5/11-20.3)

14           Sec. 11-20.3. Aggravated child pornography.

15           (a) A person commits the offense of aggravated child  
16          pornography who:

17           (1) films, videotapes, photographs, or otherwise  
18          depicts or portrays by means of any similar visual medium  
19          or reproduction or depicts by computer any child whom he or  
20          she knows or reasonably should know to be under the age of  
21          13 years where such child is:

22           (i) actually or by simulation engaged in any act of  
23          sexual penetration or sexual conduct with any person or  
24          animal; or

25           (ii) actually or by simulation engaged in any act

1 of sexual penetration or sexual conduct involving the  
2 sex organs of the child and the mouth, anus, or sex  
3 organs of another person or animal; or which involves  
4 the mouth, anus or sex organs of the child and the sex  
5 organs of another person or animal; or

6 (iii) actually or by simulation engaged in any act  
7 of masturbation; or

8 (iv) actually or by simulation portrayed as being  
9 the object of, or otherwise engaged in, any act of lewd  
10 fondling, touching, or caressing involving another  
11 person or animal; or

12 (v) actually or by simulation engaged in any act of  
13 excretion or urination within a sexual context; or

14 (vi) actually or by simulation portrayed or  
15 depicted as bound, fettered, or subject to sadistic,  
16 masochistic, or sadomasochistic abuse in any sexual  
17 context; or

18 (vii) depicted or portrayed in any pose, posture or  
19 setting involving a lewd exhibition of the unclothed or  
20 transparently clothed genitals, pubic area, buttocks,  
21 or, if such person is female, a fully or partially  
22 developed breast of the child or other person; or

23 (2) with the knowledge of the nature or content  
24 thereof, reproduces, disseminates, offers to disseminate,  
25 exhibits or possesses with intent to disseminate any film,  
26 videotape, photograph or other similar visual reproduction

1 or depiction by computer of any child whom the person knows  
2 or reasonably should know to be under the age of 13 engaged  
3 in any activity described in subparagraphs (i) through  
4 (vii) of paragraph (1) of this subsection; or

5 (3) with knowledge of the subject matter or theme  
6 thereof, produces any stage play, live performance, film,  
7 videotape or other similar visual portrayal or depiction by  
8 computer which includes a child whom the person knows or  
9 reasonably should know to be under the age of 13 engaged in  
10 any activity described in subparagraphs (i) through (vii)  
11 of paragraph (1) of this subsection; or

12 (4) solicits, uses, persuades, induces, entices, or  
13 coerces any child whom he or she knows or reasonably should  
14 know to be under the age of 13 to appear in any stage play,  
15 live presentation, film, videotape, photograph or other  
16 similar visual reproduction or depiction by computer in  
17 which the child or severely or profoundly mentally retarded  
18 person is or will be depicted, actually or by simulation,  
19 in any act, pose or setting described in subparagraphs (i)  
20 through (vii) of paragraph (1) of this subsection; or

21 (5) is a parent, step-parent, legal guardian or other  
22 person having care or custody of a child whom the person  
23 knows or reasonably should know to be under the age of 13  
24 and who knowingly permits, induces, promotes, or arranges  
25 for such child to appear in any stage play, live  
26 performance, film, videotape, photograph or other similar

1 visual presentation, portrayal or simulation or depiction  
2 by computer of any act or activity described in  
3 subparagraphs (i) through (vii) of paragraph (1) of this  
4 subsection; or

5 (6) with knowledge of the nature or content thereof,  
6 possesses any film, videotape, photograph or other similar  
7 visual reproduction or depiction by computer of any child  
8 whom the person knows or reasonably should know to be under  
9 the age of 13 engaged in any activity described in  
10 subparagraphs (i) through (vii) of paragraph (1) of this  
11 subsection; or

12 (7) solicits, or knowingly uses, persuades, induces,  
13 entices, or coerces a person to provide a child under the  
14 age of 13 to appear in any videotape, photograph, film,  
15 stage play, live presentation, or other similar visual  
16 reproduction or depiction by computer in which the child  
17 will be depicted, actually or by simulation, in any act,  
18 pose, or setting described in subparagraphs (i) through  
19 (vii) of paragraph (1) of this subsection.

20 (b)(1) It shall be an affirmative defense to a charge of  
21 aggravated child pornography that the defendant reasonably  
22 believed, under all of the circumstances, that the child was 13  
23 years of age or older, but only where, prior to the act or acts  
24 giving rise to a prosecution under this Section, he or she took  
25 some affirmative action or made a bonafide inquiry designed to  
26 ascertain whether the child was 13 years of age or older and

1 his or her reliance upon the information so obtained was  
2 clearly reasonable.

3 (2) The charge of aggravated child pornography shall not  
4 apply to the performance of official duties by law enforcement  
5 or prosecuting officers or persons employed by law enforcement  
6 or prosecuting agencies, court personnel or attorneys, nor to  
7 bonafide treatment or professional education programs  
8 conducted by licensed physicians, psychologists or social  
9 workers.

10 (3) If the defendant possessed more than 3 of the same  
11 film, videotape or visual reproduction or depiction by computer  
12 in which aggravated child pornography is depicted, then the  
13 trier of fact may infer that the defendant possessed such  
14 materials with the intent to disseminate them.

15 (4) The charge of aggravated child pornography does not  
16 apply to a person who does not voluntarily possess a film,  
17 videotape, or visual reproduction or depiction by computer in  
18 which aggravated child pornography is depicted. Possession is  
19 voluntary if the defendant knowingly procures or receives a  
20 film, videotape, or visual reproduction or depiction for a  
21 sufficient time to be able to terminate his or her possession.

22 (5) Any violation of paragraph (1), (2), (3), (4), (5), or  
23 (7) of subsection (a) that includes a child engaged in,  
24 solicited for, depicted in, or posed in any act of sexual  
25 penetration or bound, fettered, or subject to sadistic,  
26 masochistic, or sadomasochistic abuse in a sexual context shall

1 be deemed a crime of violence.

2 (c) Sentence: (1) A person who commits a violation of  
3 paragraph (1), (2), (3), (4), (5), or (7) of subsection (a) is  
4 guilty of a Class X felony with a mandatory minimum fine of  
5 \$2,000 and a maximum fine of \$100,000.

6 (2) A person who commits a violation of paragraph (6) of  
7 subsection (a) is guilty of a Class 2 felony with a mandatory  
8 minimum fine of \$1000 and a maximum fine of \$100,000.

9 (3) A person who commits a violation of paragraph (1), (2),  
10 (3), (4), (5), or (7) of subsection (a) where the defendant has  
11 previously been convicted under the laws of this State or any  
12 other state of the offense of child pornography, aggravated  
13 child pornography, aggravated criminal sexual abuse,  
14 aggravated criminal sexual assault, predatory criminal sexual  
15 assault of a child, or any of the offenses formerly known as  
16 rape, deviate sexual assault, indecent liberties with a child,  
17 or aggravated indecent liberties with a child where the victim  
18 was under the age of 18 years or an offense that is  
19 substantially equivalent to those offenses, is guilty of a  
20 Class X felony for which the person shall be sentenced to a  
21 term of imprisonment of not less than 9 years with a mandatory  
22 minimum fine of \$2,000 and a maximum fine of \$100,000.

23 (4) A person who commits a violation of paragraph (6) of  
24 subsection (a) where the defendant has previously been  
25 convicted under the laws of this State or any other state of  
26 the offense of child pornography, aggravated child

1 pornography, aggravated criminal sexual abuse, aggravated  
2 criminal sexual assault, predatory criminal sexual assault of a  
3 child, or any of the offenses formerly known as rape, deviate  
4 sexual assault, indecent liberties with a child, or aggravated  
5 indecent liberties with a child where the victim was under the  
6 age of 18 years or an offense that is substantially equivalent  
7 to those offenses, is guilty of a Class 1 felony with a  
8 mandatory minimum fine of \$1000 and a maximum fine of \$100,000.

9 (d) If a person is convicted of a second or subsequent  
10 violation of this Section within 10 years of a prior  
11 conviction, the court shall order a presentence psychiatric  
12 examination of the person. The examiner shall report to the  
13 court whether treatment of the person is necessary.

14 (e) Any film, videotape, photograph or other similar visual  
15 reproduction or depiction by computer which includes a child  
16 under the age of 13 engaged in any activity described in  
17 subparagraphs (i) through (vii) of paragraph (1) of subsection  
18 (a), and any material or equipment used or intended for use in  
19 photographing, filming, printing, producing, reproducing,  
20 manufacturing, projecting, exhibiting, depiction by computer,  
21 or disseminating such material shall be seized and forfeited in  
22 the manner, method and procedure provided by Section 36-1 of  
23 this Code for the seizure and forfeiture of vessels, vehicles  
24 and aircraft.

25 (e-5) Upon the conclusion of a case brought under this  
26 Section, the court shall seal all evidence depicting a victim

1 or witness that is sexually explicit. The evidence may be  
2 unsealed and viewed, on a motion of the party seeking to unseal  
3 and view the evidence, only for good cause shown and in the  
4 discretion of the court. The motion must expressly set forth  
5 the purpose for viewing the material. The State's attorney and  
6 the victim, if possible, shall be provided reasonable notice of  
7 the hearing on the motion to unseal the evidence. Any person  
8 entitled to notice of a hearing under this subsection (e-5) may  
9 object to the motion.

10 (f) Definitions. For the purposes of this Section:

11 (1) "Disseminate" means (i) to sell, distribute,  
12 exchange or transfer possession, whether with or without  
13 consideration or (ii) to make a depiction by computer  
14 available for distribution or downloading through the  
15 facilities of any telecommunications network or through  
16 any other means of transferring computer programs or data  
17 to a computer.

18 (2) "Produce" means to direct, promote, advertise,  
19 publish, manufacture, issue, present or show.

20 (3) "Reproduce" means to make a duplication or copy.

21 (4) "Depict by computer" means to generate or create,  
22 or cause to be created or generated, a computer program or  
23 data that, after being processed by a computer either alone  
24 or in conjunction with one or more computer programs,  
25 results in a visual depiction on a computer monitor,  
26 screen, or display.

1           (5) "Depiction by computer" means a computer program or  
2 data that, after being processed by a computer either alone  
3 or in conjunction with one or more computer programs,  
4 results in a visual depiction on a computer monitor,  
5 screen, or display.

6           (6) "Computer", "computer program", and "data" have  
7 the meanings ascribed to them in Section 16D-2 of this  
8 Code.

9           (7) For the purposes of this Section, "child" means a  
10 person, either in part or in total, under the age of 13,  
11 regardless of the method by which the film, videotape,  
12 photograph, or other similar visual medium or reproduction  
13 or depiction by computer is created, adopted, or modified  
14 to appear as such.

15           (8) "Sexual penetration" and "sexual conduct" have the  
16 meanings ascribed to them in Section 12-12 of this Code.

17           (g) When a charge of aggravated child pornography is  
18 brought, the age of the child is an element of the offense to  
19 be resolved by the trier of fact as either exceeding or not  
20 exceeding the age in question. The trier of fact can rely on  
21 its own everyday observations and common experiences in making  
22 this determination.

23           (Source: P.A. 95-579, eff. 6-1-08.)

24           Section 10. The Bill of Rights for Children is amended by  
25 changing Section 3 as follows:

1 (725 ILCS 115/3) (from Ch. 38, par. 1353)

2 Sec. 3. Rights to present child impact statement.

3 (a) In any case where a defendant has been convicted of a  
4 violent crime involving a child or a juvenile has been  
5 adjudicated a delinquent for any offense defined in Sections  
6 11-6, 11-20.1, and 11-20.3 and in Sections 12-13 through 12-16  
7 of the Criminal Code of 1961, except those in which both  
8 parties have agreed to the imposition of a specific sentence,  
9 and a parent or legal guardian of the child involved is present  
10 in the courtroom at the time of the sentencing or the  
11 disposition hearing, the parent or legal guardian upon his or  
12 her request shall have the right to address the court regarding  
13 the impact which the defendant's criminal conduct or the  
14 juvenile's delinquent conduct has had upon the child. If the  
15 parent or legal guardian chooses to exercise this right, the  
16 impact statement must have been prepared in writing in  
17 conjunction with the Office of the State's Attorney prior to  
18 the initial hearing or sentencing, before it can be presented  
19 orally at the sentencing hearing. The court shall consider any  
20 statements made by the parent or legal guardian, along with all  
21 other appropriate factors in determining the sentence of the  
22 defendant or disposition of such juvenile.

23 (b) The crime victim has the right to prepare a victim  
24 impact statement and present it to the office of the State's  
25 Attorney at any time during the proceedings.

1           (c) This Section shall apply to any child victims of any  
2 offense defined in Sections 12-13 through 12-16 of the Criminal  
3 Code of 1961 during any dispositional hearing under Section  
4 5-705 of the Juvenile Court Act of 1987 which takes place  
5 pursuant to an adjudication of delinquency for any such  
6 offense.

7           (Source: P.A. 90-590, eff. 1-1-99.)

8           Section 15. The Rights of Crime Victims and Witnesses Act  
9 is amended by changing Section 3 as follows:

10           (725 ILCS 120/3) (from Ch. 38, par. 1403)

11           Sec. 3. The terms used in this Act, unless the context  
12 clearly requires otherwise, shall have the following meanings:

13           (a) "Crime victim" means (1) a person physically injured in  
14 this State as a result of a violent crime perpetrated or  
15 attempted against that person or (2) a person who suffers  
16 injury to or loss of property as a result of a violent crime  
17 perpetrated or attempted against that person or (3) a single  
18 representative who may be the spouse, parent, child or sibling  
19 of a person killed as a result of a violent crime perpetrated  
20 against the person killed or the spouse, parent, child or  
21 sibling of any person granted rights under this Act who is  
22 physically or mentally incapable of exercising such rights,  
23 except where the spouse, parent, child or sibling is also the  
24 defendant or prisoner or (4) any person against whom a violent

1 crime has been committed or (5) any person who has suffered  
2 personal injury as a result of a violation of Section 11-501 of  
3 the Illinois Vehicle Code, or of a similar provision of a local  
4 ordinance, or of Section 9-3 of the Criminal Code of 1961, as  
5 amended or (6) in proceedings under the Juvenile Court Act of  
6 1987, both parents, legal guardians, foster parents, or a  
7 single adult representative of a minor or disabled person who  
8 is a crime victim.

9 (b) "Witness" means any person who personally observed the  
10 commission of a violent crime and who will testify on behalf of  
11 the State of Illinois in the criminal prosecution of the  
12 violent crime.

13 (c) "Violent Crime" means any felony in which force or  
14 threat of force was used against the victim, or any offense  
15 involving sexual exploitation, sexual conduct or sexual  
16 penetration, or a violation of Section 11-20.1 or 11-20.3 of  
17 the Criminal Code of 1961, domestic battery, violation of an  
18 order of protection, stalking, or any misdemeanor which results  
19 in death or great bodily harm to the victim or any violation of  
20 Section 9-3 of the Criminal Code of 1961, or Section 11-501 of  
21 the Illinois Vehicle Code, or a similar provision of a local  
22 ordinance, if the violation resulted in personal injury or  
23 death, and includes any action committed by a juvenile that  
24 would be a violent crime if committed by an adult. For the  
25 purposes of this paragraph, "personal injury" shall include any  
26 Type A injury as indicated on the traffic accident report

1 completed by a law enforcement officer that requires immediate  
2 professional attention in either a doctor's office or medical  
3 facility. A type A injury shall include severely bleeding  
4 wounds, distorted extremities, and injuries that require the  
5 injured party to be carried from the scene.

6 (d) "Sentencing Hearing" means any hearing where a sentence  
7 is imposed by the court on a convicted defendant and includes  
8 hearings conducted pursuant to Sections 5-6-4, 5-6-4.1, 5-7-2  
9 and 5-7-7 of the Unified Code of Corrections except those cases  
10 in which both parties have agreed to the imposition of a  
11 specific sentence.

12 (e) "Court proceedings" includes the preliminary hearing,  
13 any hearing the effect of which may be the release of the  
14 defendant from custody or to alter the conditions of bond, the  
15 trial, sentencing hearing, notice of appeal, any modification  
16 of sentence, probation revocation hearings or parole hearings.  
17 (Source: P.A. 94-271, eff. 1-1-06; 95-591, eff. 6-1-08; 95-876,  
18 eff. 8-21-08.)

19 Section 20. The Sexually Violent Persons Commitment Act is  
20 amended by changing Section 5 as follows:

21 (725 ILCS 207/5)

22 Sec. 5. Definitions. As used in this Act, the term:

23 (a) "Department" means the Department of Human Services.

24 (b) "Mental disorder" means a congenital or acquired

1 condition affecting the emotional or volitional capacity that  
2 predisposes a person to engage in acts of sexual violence.

3 (c) "Secretary" means the Secretary of Human Services.

4 (d) "Sexually motivated" means that one of the purposes for  
5 an act is for the actor's sexual arousal or gratification.

6 (e) "Sexually violent offense" means any of the following:

7 (1) Any crime specified in Section 11-6, 11-20.1,  
8 11-20.3, 12-13, 12-14, 12-14.1, or 12-16 of the Criminal  
9 Code of 1961; or

10 (1.5) Any former law of this State specified in Section  
11 11-1 (rape), 11-3 (deviate sexual assault), 11-4 (indecent  
12 liberties with a child) or 11-4.1 ~~11-4~~ (aggravated indecent  
13 liberties with a child) of the Criminal Code of 1961; or

14 (2) First degree murder, if it is determined by the  
15 agency with jurisdiction to have been sexually motivated;  
16 or

17 (3) Any solicitation, conspiracy or attempt to commit a  
18 crime under paragraph (e) (1) or (e) (2) of this Section.

19 (f) "Sexually violent person" means a person who has been  
20 convicted of a sexually violent offense, has been adjudicated  
21 delinquent for a sexually violent offense, or has been found  
22 not guilty of a sexually violent offense by reason of insanity  
23 and who is dangerous because he or she suffers from a mental  
24 disorder that makes it substantially probable that the person  
25 will engage in acts of sexual violence.

26 (Source: P.A. 94-746, eff. 5-8-06; revised 10-23-08.)

1           Section 25. The Unified Code of Corrections is amended by  
2 changing Section 5-5-3.2 as follows:

3           (730 ILCS 5/5-5-3.2) (from Ch. 38, par. 1005-5-3.2)

4           Sec. 5-5-3.2. Factors in Aggravation.

5           (a) The following factors shall be accorded weight in favor  
6 of imposing a term of imprisonment or may be considered by the  
7 court as reasons to impose a more severe sentence under Section  
8 5-8-1:

9           (1) the defendant's conduct caused or threatened  
10 serious harm;

11           (2) the defendant received compensation for committing  
12 the offense;

13           (3) the defendant has a history of prior delinquency or  
14 criminal activity;

15           (4) the defendant, by the duties of his office or by  
16 his position, was obliged to prevent the particular offense  
17 committed or to bring the offenders committing it to  
18 justice;

19           (5) the defendant held public office at the time of the  
20 offense, and the offense related to the conduct of that  
21 office;

22           (6) the defendant utilized his professional reputation  
23 or position in the community to commit the offense, or to  
24 afford him an easier means of committing it;

1           (7) the sentence is necessary to deter others from  
2 committing the same crime;

3           (8) the defendant committed the offense against a  
4 person 60 years of age or older or such person's property;

5           (9) the defendant committed the offense against a  
6 person who is physically handicapped or such person's  
7 property;

8           (10) by reason of another individual's actual or  
9 perceived race, color, creed, religion, ancestry, gender,  
10 sexual orientation, physical or mental disability, or  
11 national origin, the defendant committed the offense  
12 against (i) the person or property of that individual; (ii)  
13 the person or property of a person who has an association  
14 with, is married to, or has a friendship with the other  
15 individual; or (iii) the person or property of a relative  
16 (by blood or marriage) of a person described in clause (i)  
17 or (ii). For the purposes of this Section, "sexual  
18 orientation" means heterosexuality, homosexuality, or  
19 bisexuality;

20           (11) the offense took place in a place of worship or on  
21 the grounds of a place of worship, immediately prior to,  
22 during or immediately following worship services. For  
23 purposes of this subparagraph, "place of worship" shall  
24 mean any church, synagogue or other building, structure or  
25 place used primarily for religious worship;

26           (12) the defendant was convicted of a felony committed

1 while he was released on bail or his own recognizance  
2 pending trial for a prior felony and was convicted of such  
3 prior felony, or the defendant was convicted of a felony  
4 committed while he was serving a period of probation,  
5 conditional discharge, or mandatory supervised release  
6 under subsection (d) of Section 5-8-1 for a prior felony;

7 (13) the defendant committed or attempted to commit a  
8 felony while he was wearing a bulletproof vest. For the  
9 purposes of this paragraph (13), a bulletproof vest is any  
10 device which is designed for the purpose of protecting the  
11 wearer from bullets, shot or other lethal projectiles;

12 (14) the defendant held a position of trust or  
13 supervision such as, but not limited to, family member as  
14 defined in Section 12-12 of the Criminal Code of 1961,  
15 teacher, scout leader, baby sitter, or day care worker, in  
16 relation to a victim under 18 years of age, and the  
17 defendant committed an offense in violation of Section  
18 11-6, 11-11, 11-15.1, 11-19.1, 11-19.2, 11-20.1, 12-13,  
19 12-14, 12-14.1, 12-15 or 12-16 of the Criminal Code of 1961  
20 against that victim;

21 (15) the defendant committed an offense related to the  
22 activities of an organized gang. For the purposes of this  
23 factor, "organized gang" has the meaning ascribed to it in  
24 Section 10 of the Streetgang Terrorism Omnibus Prevention  
25 Act;

26 (16) the defendant committed an offense in violation of

1 one of the following Sections while in a school, regardless  
2 of the time of day or time of year; on any conveyance  
3 owned, leased, or contracted by a school to transport  
4 students to or from school or a school related activity; on  
5 the real property of a school; or on a public way within  
6 1,000 feet of the real property comprising any school:  
7 Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1,  
8 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3,  
9 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or  
10 33A-2 of the Criminal Code of 1961;

11 (16.5) the defendant committed an offense in violation  
12 of one of the following Sections while in a day care  
13 center, regardless of the time of day or time of year; on  
14 the real property of a day care center, regardless of the  
15 time of day or time of year; or on a public way within  
16 1,000 feet of the real property comprising any day care  
17 center, regardless of the time of day or time of year:  
18 Section 10-1, 10-2, 10-5, 11-15.1, 11-17.1, 11-18.1,  
19 11-19.1, 11-19.2, 12-2, 12-4, 12-4.1, 12-4.2, 12-4.3,  
20 12-6, 12-6.1, 12-13, 12-14, 12-14.1, 12-15, 12-16, 18-2, or  
21 33A-2 of the Criminal Code of 1961;

22 (17) the defendant committed the offense by reason of  
23 any person's activity as a community policing volunteer or  
24 to prevent any person from engaging in activity as a  
25 community policing volunteer. For the purpose of this  
26 Section, "community policing volunteer" has the meaning

1 ascribed to it in Section 2-3.5 of the Criminal Code of  
2 1961;

3 (18) the defendant committed the offense in a nursing  
4 home or on the real property comprising a nursing home. For  
5 the purposes of this paragraph (18), "nursing home" means a  
6 skilled nursing or intermediate long term care facility  
7 that is subject to license by the Illinois Department of  
8 Public Health under the Nursing Home Care Act;

9 (19) the defendant was a federally licensed firearm  
10 dealer and was previously convicted of a violation of  
11 subsection (a) of Section 3 of the Firearm Owners  
12 Identification Card Act and has now committed either a  
13 felony violation of the Firearm Owners Identification Card  
14 Act or an act of armed violence while armed with a firearm;

15 (20) the defendant (i) committed the offense of  
16 reckless homicide under Section 9-3 of the Criminal Code of  
17 1961 or the offense of driving under the influence of  
18 alcohol, other drug or drugs, intoxicating compound or  
19 compounds or any combination thereof under Section 11-501  
20 of the Illinois Vehicle Code or a similar provision of a  
21 local ordinance and (ii) was operating a motor vehicle in  
22 excess of 20 miles per hour over the posted speed limit as  
23 provided in Article VI of Chapter 11 of the Illinois  
24 Vehicle Code;

25 (21) the defendant (i) committed the offense of  
26 reckless driving or aggravated reckless driving under

1 Section 11-503 of the Illinois Vehicle Code and (ii) was  
2 operating a motor vehicle in excess of 20 miles per hour  
3 over the posted speed limit as provided in Article VI of  
4 Chapter 11 of the Illinois Vehicle Code;

5 (22) the defendant committed the offense against a  
6 person that the defendant knew, or reasonably should have  
7 known, was a member of the Armed Forces of the United  
8 States serving on active duty. For purposes of this clause  
9 (22), the term "Armed Forces" means any of the Armed Forces  
10 of the United States, including a member of any reserve  
11 component thereof or National Guard unit called to active  
12 duty; ~~or~~

13 (23) the defendant committed the offense against a  
14 person who was elderly, disabled, or infirm by taking  
15 advantage of a family or fiduciary relationship with the  
16 elderly, disabled, or infirm person; ~~or~~

17 (24) ~~(22)~~ the defendant committed any offense under  
18 Section 11-20.1 of the Criminal Code of 1961 and possessed  
19 100 or more images; or ~~or~~

20 (25) the defendant committed the offense of child  
21 pornography or aggravated child pornography, specifically  
22 including paragraph (1), (2), (3), (4), (5), or (7) of  
23 subsection (a) of Section 11-20.1 of the Criminal Code of  
24 1961 where a child engaged in, solicited for, depicted in,  
25 or posed in any act of sexual penetration or bound,  
26 fettered, or subject to sadistic, masochistic, or

1 sadomasochistic abuse in a sexual context and specifically  
2 including paragraph (1), (2), (3), (4), (5), or (7) of  
3 subsection (a) of Section 11-20.3 of the Criminal Code of  
4 1961 where a child engaged in, solicited for, depicted in,  
5 or posed in any act of sexual penetration or bound,  
6 fettered, or subject to sadistic, masochistic, or  
7 sadomasochistic abuse in a sexual context.

8 For the purposes of this Section:

9 "School" is defined as a public or private elementary or  
10 secondary school, community college, college, or university.

11 "Day care center" means a public or private State certified  
12 and licensed day care center as defined in Section 2.09 of the  
13 Child Care Act of 1969 that displays a sign in plain view  
14 stating that the property is a day care center.

15 (b) The following factors may be considered by the court as  
16 reasons to impose an extended term sentence under Section 5-8-2  
17 upon any offender:

18 (1) When a defendant is convicted of any felony, after  
19 having been previously convicted in Illinois or any other  
20 jurisdiction of the same or similar class felony or greater  
21 class felony, when such conviction has occurred within 10  
22 years after the previous conviction, excluding time spent  
23 in custody, and such charges are separately brought and  
24 tried and arise out of different series of acts; or

25 (2) When a defendant is convicted of any felony and the  
26 court finds that the offense was accompanied by

1           exceptionally brutal or heinous behavior indicative of  
2           wanton cruelty; or

3           (3) When a defendant is convicted of voluntary  
4           manslaughter, second degree murder, involuntary  
5           manslaughter or reckless homicide in which the defendant  
6           has been convicted of causing the death of more than one  
7           individual; or

8           (4) When a defendant is convicted of any felony  
9           committed against:

10           (i) a person under 12 years of age at the time of  
11           the offense or such person's property;

12           (ii) a person 60 years of age or older at the time  
13           of the offense or such person's property; or

14           (iii) a person physically handicapped at the time  
15           of the offense or such person's property; or

16           (5) In the case of a defendant convicted of aggravated  
17           criminal sexual assault or criminal sexual assault, when  
18           the court finds that aggravated criminal sexual assault or  
19           criminal sexual assault was also committed on the same  
20           victim by one or more other individuals, and the defendant  
21           voluntarily participated in the crime with the knowledge of  
22           the participation of the others in the crime, and the  
23           commission of the crime was part of a single course of  
24           conduct during which there was no substantial change in the  
25           nature of the criminal objective; or

26           (6) When a defendant is convicted of any felony and the

1 offense involved any of the following types of specific  
2 misconduct committed as part of a ceremony, rite,  
3 initiation, observance, performance, practice or activity  
4 of any actual or ostensible religious, fraternal, or social  
5 group:

6 (i) the brutalizing or torturing of humans or  
7 animals;

8 (ii) the theft of human corpses;

9 (iii) the kidnapping of humans;

10 (iv) the desecration of any cemetery, religious,  
11 fraternal, business, governmental, educational, or  
12 other building or property; or

13 (v) ritualized abuse of a child; or

14 (7) When a defendant is convicted of first degree  
15 murder, after having been previously convicted in Illinois  
16 of any offense listed under paragraph (c)(2) of Section  
17 5-5-3, when such conviction has occurred within 10 years  
18 after the previous conviction, excluding time spent in  
19 custody, and such charges are separately brought and tried  
20 and arise out of different series of acts; or

21 (8) When a defendant is convicted of a felony other  
22 than conspiracy and the court finds that the felony was  
23 committed under an agreement with 2 or more other persons  
24 to commit that offense and the defendant, with respect to  
25 the other individuals, occupied a position of organizer,  
26 supervisor, financier, or any other position of management

1 or leadership, and the court further finds that the felony  
2 committed was related to or in furtherance of the criminal  
3 activities of an organized gang or was motivated by the  
4 defendant's leadership in an organized gang; or

5 (9) When a defendant is convicted of a felony violation  
6 of Section 24-1 of the Criminal Code of 1961 and the court  
7 finds that the defendant is a member of an organized gang;  
8 or

9 (10) When a defendant committed the offense using a  
10 firearm with a laser sight attached to it. For purposes of  
11 this paragraph (10), "laser sight" has the meaning ascribed  
12 to it in Section 24.6-5 of the Criminal Code of 1961; or

13 (11) When a defendant who was at least 17 years of age  
14 at the time of the commission of the offense is convicted  
15 of a felony and has been previously adjudicated a  
16 delinquent minor under the Juvenile Court Act of 1987 for  
17 an act that if committed by an adult would be a Class X or  
18 Class 1 felony when the conviction has occurred within 10  
19 years after the previous adjudication, excluding time  
20 spent in custody; or

21 (12) When a defendant commits an offense involving the  
22 illegal manufacture of a controlled substance under  
23 Section 401 of the Illinois Controlled Substances Act, the  
24 illegal manufacture of methamphetamine under Section 25 of  
25 the Methamphetamine Control and Community Protection Act,  
26 or the illegal possession of explosives and an emergency

1 response officer in the performance of his or her duties is  
2 killed or injured at the scene of the offense while  
3 responding to the emergency caused by the commission of the  
4 offense. In this paragraph (12), "emergency" means a  
5 situation in which a person's life, health, or safety is in  
6 jeopardy; and "emergency response officer" means a peace  
7 officer, community policing volunteer, fireman, emergency  
8 medical technician-ambulance, emergency medical  
9 technician-intermediate, emergency medical  
10 technician-paramedic, ambulance driver, other medical  
11 assistance or first aid personnel, or hospital emergency  
12 room personnel; or

13 (13) When a defendant commits any felony and the  
14 defendant used, possessed, exercised control over, or  
15 otherwise directed an animal to assault a law enforcement  
16 officer engaged in the execution of his or her official  
17 duties or in furtherance of the criminal activities of an  
18 organized gang in which the defendant is engaged.

19 (b-1) For the purposes of this Section, "organized gang"  
20 has the meaning ascribed to it in Section 10 of the Illinois  
21 Streetgang Terrorism Omnibus Prevention Act.

22 (c) The court may impose an extended term sentence under  
23 Section 5-8-2 upon any offender who was convicted of aggravated  
24 criminal sexual assault or predatory criminal sexual assault of  
25 a child under subsection (a)(1) of Section 12-14.1 of the  
26 Criminal Code of 1961 where the victim was under 18 years of

1 age at the time of the commission of the offense.

2 (d) The court may impose an extended term sentence under  
3 Section 5-8-2 upon any offender who was convicted of unlawful  
4 use of weapons under Section 24-1 of the Criminal Code of 1961  
5 for possessing a weapon that is not readily distinguishable as  
6 one of the weapons enumerated in Section 24-1 of the Criminal  
7 Code of 1961.

8 (e) The court may impose an extended term sentence under  
9 Section 5-8-2 upon an offender who has been convicted of first  
10 degree murder when the offender has previously been convicted  
11 of domestic battery or aggravated domestic battery committed  
12 against the murdered individual or has previously been  
13 convicted of violation of an order of protection in which the  
14 murdered individual was the protected person.

15 (Source: P.A. 94-131, eff. 7-7-05; 94-375, eff. 1-1-06; 94-556,  
16 eff. 9-11-05; 94-819, eff. 5-31-06; 95-85, eff. 1-1-08; 95-362,  
17 eff. 1-1-08; 95-569, eff. 6-1-08; 95-876, eff. 8-21-08; 95-942,  
18 eff. 1-1-09; revised 9-23-08.)

1

INDEX

2

Statutes amended in order of appearance

3

720 ILCS 5/3-5

from Ch. 38, par. 3-5

4

720 ILCS 5/11-20.1

from Ch. 38, par. 11-20.1

5

720 ILCS 5/11-20.3

6

725 ILCS 115/3

from Ch. 38, par. 1353

7

725 ILCS 120/3

from Ch. 38, par. 1403

8

725 ILCS 207/5

9

730 ILCS 5/5-5-3.2

from Ch. 38, par. 1005-5-3.2